

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY

Before the court is the above-entitled and numbered cause of action, which was referred to the United States Magistrate Judge for findings and recommendations pursuant to Section 636(b) of Title 28 of the United States Code, Federal Rule of Civil Procedure 72, Rule 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended, and the Court Docket Management Standing Order for United States District Judge Lee Yeakel (Doc. #4). Plaintiff Vamsidhar Vrimindi, proceeding *pro se*, was granted leave to proceed *in forma pauperis*. The magistrate judge filed a Report and Recommendation on March 22, 2023 (Doc. #5), withholding service upon Defendant and recommending that this court dismiss Plaintiff's lawsuit as frivolous under 28 U.S.C. § 1915(e)(2).

Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the magistrate judge within 14 days after being served with a copy of the Report and Recommendation, and thereby secure a *de novo* review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*).

Plaintiff Vamsidhar Vurimindi's Objections to Magistrate Judge's Report & Recommendation were filed on March 28, 2023 (Doc. #7). In light of Plaintiff's objections, the court has undertaken a *de novo* review of the record and applicable law in this case and finds that the magistrate judge's Report and Recommendation should be approved and accepted by the court for substantially the reasons stated therein.

IT IS THEREFORE ORDERED that Plaintiff Vamsidhar Vurimindi's Objections to Magistrate Judge's Report and Recommendation, filed March 28, 2023 (Doc. #7), are **OVERRULED**.


IT IS FURTHER ORDERED that the Order and Report and Recommendation of the United States Magistrate Judge, filed March 22, 2023 (Doc. #5) is **APPROVED AND ACCEPTED** as stated herein.

IT IS FURTHER ORDERED that Plaintiff's claims and causes of action are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2).

IT IS FURTHER ORDERED that Plaintiff's Motion to Appoint Counsel, filed February 27, 2023 (Doc. #1), is **DISMISSED AS MOOT**.

A Final Judgment shall be filed subsequently.

SIGNED this 29th day of March, 2023.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE